

Howard Shook

04-R-0750

A RESOLUTION  
BY COUNCILMEMBER HOWARD SHOOK

A RESOLUTION AUTHORIZING THE MAYOR OF HIS DESIGNEE TO ACCEPT PROPERTY DONATED TO THE CITY OF ATLANTA BY ING U.S. - RESIDENTIAL FUND, L.P., FOR THE PURPOSE OF CONSTRUCTING A LEFT TURN LANE AND INSTALLATING A TRAFFIC SIGNAL AT PIEDMONT ROAD AND PIEDMONT CENTER DRIVEWAY "B", LOCATED IN LAND LOT 98 OF THE 17th DISTRICT OF FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES

WHEREAS, the Department of Public Works has determined that there is a need for a left-turn lane and traffic signal at the intersection of Piedmont Road and Piedmont Center Driveway "B"; and,

WHEREAS, the left-turn lane and traffic signal will provide better access for vehicles and the BATMA Shuttle (The "Buck") turning left onto Piedmont Road from; and,

WHEREAS, this project will improve traffic flow and contribute to the increase of safety; and,

WHEREAS, ING U.S. - Residential Fund, L.P., has agreed to donate this property which is required to construct these improvements at no cost to the City of Atlanta; and,

WHEREAS, there is a need to construct this project as soon as possible.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA that the property located in Land Lot 98 of the 17th District of Fulton County, Georgia be donated by ING U.S. - Residential Fund, L.P. for the purpose of constructing a left-turn lane and traffic signal at the intersection of Piedmont Road and Piedmont Center Driveway "B", and the City Attorney be and is hereby authorized and directed to take the necessary action to close said transaction. A description of said property is set forth in Exhibit A to this resolution and incorporated therein.

## EXHIBIT A

### WRITTEN DESCRIPTION OF PROPERTY TO BE DEDICATED BY ING U.S. – RESIDENTIAL FUND, L.P. TO THE CITY OF ATLANTA FOR THE USE OF PUBLIC RIGHT-OF WAY AND MAINTENANCE OF DETECTION LOOPS

#### Legal Description Right-of-Way ING U.S. – Residential Fund, L.P.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 98 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the centerline of intersection of Habersham Road with the westerly right-of-way line of Piedmont Road (60-foot right-of-way at this point); THENCE along said right-of-way line of Piedmont Road (right-of-way varies) a distance of 1,152.88 feet to a point, said point being THE POINT OF BEGINNING; THENCE along said right-of-way line South 67 degrees 51 minutes 01 seconds East, a distance of 4.26 feet to a point; THENCE along said right-of-way line South 47 degrees 01 minutes 07 seconds East, a distance of 38.56 feet to a point; THENCE along the said right-of-way line South 35 degrees 45 minutes 29 seconds East, a distance of 123.53 feet to a point; THENCE leaving said right-of-way line, along the common property line between Nationale-Nederlanden Intervest II, B.V., and The Barclay at Buckhead Pines, South 50 degrees 47 minutes 13 seconds West, a distance of 2.75 feet to a point; THENCE leaving said property line North 40 degrees 05 minutes 07 seconds West, a distance of 93.24 feet to a point; THENCE North 35 degrees 45 minutes 57 seconds West, a distance of 72.15 feet to an aforementioned point on the westerly right-of-way line of Piedmont Road (right-of-way varies), said point being THE POINT OF BEGINNING.

Said easements contains 0.0256 acres, or 1,114.87 square feet, more or less.

Legal Description  
Easement  
ING U.S. – Residential Fund, L.P.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 98 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the centerline intersection of Habersham Road with the westerly right-of-way line of Piedmont Road (60 foot right-of-way at this point); THENCE along said right-of-way line of Piedmont Road (right-of-way varies) a distance of 1,087.12 feet to a point, said point being THE POINT OF BEGINNING; THENCE along said right-of-way line South 35 degrees 45 minutes 30 seconds East, a distance of 39.23 feet to a point; THENCE leaving said right-of-way line South 75 degrees 53 minutes 40 seconds West , a distance of 49.45 feet to a point; THENCE North 34 degrees 59 minutes 44 seconds West, a distance of 22.11 feet to a point; THENCE North 55 degrees 38 minutes 56 seconds East, a distance of 45.68 feet to an aforementioned point on the westerly right-of-way line of Piedmont Road (right-of-way varies), said point being THE POINT OF BEGINNING.

Said easement contains 0.0323 acres, or 1,406.53 square feet, more or less.

## Howard Shook

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**From:** Matthew Hicks  
**Sent:** Monday, April 19, 2004 10:52 AM  
**To:** Howard Shook  
**Subject:** RE:

At this time, all the dates look fine for me. After our office closes, you can contact me at my personal e-mail address at [mhicks@alum.emory.edu](mailto:mhicks@alum.emory.edu) <<mailto:mhicks@alum.emory.edu>> or my cell phone at 678-523-0336. Thanks for all of your help.

Matt

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**From:** Howard Shook  
**Sent:** Monday, April 19, 2004 7:15 AM  
**To:** tarbes@atlantada.com, jdunning@itsmarta.com, grady\_smith@urscorp.com, RGravel@sbcharch.com,; Matthew Hicks  
**Subject:**

Beltline Brain Trust (BBT):

This is to provide proposed dates for our next meeting, some thirty days out. Please indicate your suitable days/times from the following:

May 10; 1 or 2pm

May 11; 1 or 2pm

May 12; 9, 10, 11am

May 13; 10am or 2pm

May 14; 2pm

May 18; 10am or 1pm

May 19; 11am or 2pm

May 20; 10am or 1pm

May 21; 9am or 1pm

Thanks

Howard Shook

04-R-0750

(Do Not Write Above This Line)

*Hand Signed*

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PROPERTY DONATED TO THE CITY OF  
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LAND LOT 98 OF THE 17th DISTRICT OF  
FULTON COUNTY, GEORGIA AND FOR  
OTHER PURPOSES.

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred

4/19/04

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☐ Consent

☐ V Vote

☐ RRC Vote

CERTIFIED

MAYOR'S ACTION